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**PLEASE REPLY TO
FORT LEE OFFICE**

May 2, 2023

Via ECF

Hon. Leda Dunn Wettre
District Court of New Jersey
50 Walnut Street
Newark, NJ 07102

**Re: Status Letter
Ko v. Hanam Daeji, Inc., et. al. Case No.: 22-cv-6335**

Your Honor:

This is a joint status letter in advance of the telephonic Status Conference call scheduled for Monday May 8, 2023, in the above captioned matter.

The Parties have exchanged their initial disclosures by February 28, 2022. However, no damage chart was provided by the Plaintiff as part of the Plaintiff's initial disclosures under FRCP Rule 26. The Parties also exchanged their written discovery demands and the Plaintiff's deposition is scheduled for May 9, 2023. Defendants are not yet scheduled for their depositions.

Defendants served their Request to Admit on the Plaintiff on April 20 and are waiting for the Plaintiff's Responses.

Based on the pay records for the Plaintiff, produced by the Defendants, Defendants computed alleged shortfall for settlement purposes and shared the computation with the Plaintiff's Counsel on January 31, 2023. The alleged shortfall is de minimis based on the Plaintiff's pay records.

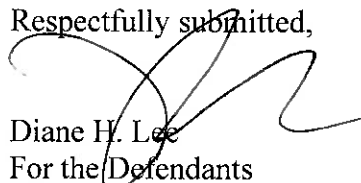
On March 23, 2023, Plaintiff's Counsel finally provided a damage chart to the Defendants. Plaintiff alleged among other claims that the Defendants kept 50% of the earned tips in her

calculation. Defendants have demanded the basis for the allegation of misappropriation of tips by 50% since their receipt of the damage chart on March 23. As of yesterday, May 1, Plaintiff's Counsel advised the undersigned that he is withdrawing his claim of 50% misappropriation and that he would provide the undersigned with a revised damage calculation.

According to the plaintiff who worked as a server at defendants' restaurant, tips were never openly tallied and distributed. Defendants produced handwritten record regarding the tips, but plaintiff needs to see daily credit card transactions to see how much tips were paid by the customers each day and which employees worked how many hours each day to be able to calculate whether proper amounts of tips were paid. Plaintiff is seeking to receive that information mentioned above from the defendants. Unless and until plaintiff receives and verify those information, plaintiff believes any settlement or mediation effort would not be fruitful.

It is the Defendants' position that this case should be settled through a settlement conference with Your Honor.

Respectfully submitted,


Diane H. Lee
For the Defendants